

**EFFECTIVE TEACHERS IN HIGH POVERTY SCHOOLS  
INCENTIVE PROGRAM AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

Senate Sponsor: Lincoln Fillmore

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**LONG TITLE**

**General Description:**

This bill makes changes to the Effective Teachers in High Poverty Schools Incentive Program.

**Highlighted Provisions:**

This bill:

- ▶ clarifies that special education teachers are eligible for the Effective Teachers in High Poverty Schools Incentive Program (incentive program);
- ▶ makes kindergarten teachers eligible for the incentive program;
- ▶ adds a second method for teachers in grades 1 through 3 to be eligible for the incentive program; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53F-2-513**, as last amended by Laws of Utah 2021, Chapter 268

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53F-2-513** is amended to read:

30           **53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --**  
31 **Salary bonus -- Evaluation.**

32           (1) As used in this section:

33           (a) "Cohort" means a group of students, defined by the year in which the group enters  
34 ~~[grade 1]~~ kindergarten.

35           (b) "Eligible teacher" means a general education or special education teacher who is  
36 employed as a teacher in ~~[grade 1 through]~~ kindergarten through grade 8 in a high poverty  
37 school at the time the teacher is considered by the state board for a salary bonus, and:

38           (i) a full school year before the school year the eligible teacher is being considered by  
39 the state board for a salary bonus under this section, regardless of whether the teacher was  
40 employed the previous year by a high poverty school or a different public school, either:

41           (A) achieves a median growth percentile of 70 or higher while teaching in grade 4  
42 through 8 at any public school in the state a course for which a standards assessment is  
43 administered as described in Section [53E-4-303](#); or

44           (B) achieves at least 85% of students whose progress is assessed as typical or better at  
45 the end of the year assessment while teaching kindergarten or grade 1, 2, or 3 at any public  
46 school in the state at which a benchmark assessment is administered as described in Section  
47 [53F-2-503](#) [;] or Section [53E-4-307.5](#);

48           (ii) for a salary bonus awarded in the ~~[2020-2021]~~ 2021-2022 school year, regardless of  
49 whether the teacher was employed the previous year by a high poverty school or a different  
50 public school, either:

51           (A) in the 2018-2019 school year, achieves a median growth percentile of 70 or higher  
52 while teaching in grade 4 through 8 at any public school in the state a course for which a  
53 standards assessment is administered as described in Section [53E-4-303](#); or

54           (B) in the 2018-2019 school year, achieves at least 85% of students whose progress is  
55 assessed as typical or better at the end of the year assessment while teaching grade 1, 2, or 3 at  
56 any public school in the state at which a benchmark assessment is administered as described in  
57 Section [53F-2-503](#); or

58 (iii) for a salary bonus awarded to a grade 4 teacher in the [2021-2022] 2022-2023  
59 school year, regardless of whether the teacher was employed the previous year by a high  
60 poverty school or a different public school, teaches grade 4 and achieves the criteria under the  
61 method that the state board creates as described in Subsection (2)(b)(iv).

62 (c) "High poverty school" means a public school:

63 (i) in which, during the previous school year, based on October 1 enrollment as of the  
64 year-end data submission:

65 (A) more than 20% of the enrolled students are classified as children affected by  
66 intergenerational poverty; or

67 (B) 70% or more of the enrolled students qualify for free or reduced lunch;

68 (ii) (A) that has previously met the criteria described in Subsection (1)(c)(i)(A) and for  
69 each school year since meeting that criteria at least 15% of the enrolled students at the public  
70 school have been classified as children affected by intergenerational poverty; or

71 (B) that has previously met the criteria described in Subsection (1)(c)(i)(B) and for  
72 each school year since meeting that criteria at least 60% of the enrolled students at the public  
73 school have qualified for free or reduced lunch;

74 (iii) for the 2020-2021 school year, that met the criteria described in Subsection  
75 (1)(c)(i) or (ii) in the 2018-2019 school year; or

76 (iv) for the 2021-2022 school year, that met the criteria described in Subsection  
77 (1)(c)(i) or (ii) in the 2019-2020 school year.

78 (d) "Intergenerational poverty" means the same as that term is defined in Section  
79 [35A-9-102](#).

80 (e) "Median growth percentile" means a number that describes the comparative  
81 effectiveness of a teacher in helping the teacher's students achieve growth in a year by  
82 identifying the median student growth percentile of all the students a teacher instructs.

83 (f) "Program" means the Effective Teachers in High Poverty Schools Incentive  
84 Program created in Subsection (2).

85 (g) "Student growth percentile" is a number that describes where a student ranks in

86 comparison to the student's cohort.

87 (2) (a) The Effective Teachers in High Poverty Schools Incentive Program is created to  
88 provide an annual salary bonus for an eligible teacher.

89 (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
90 Rulemaking Act, make rules for:

91 (i) the administration of the program;

92 (ii) payment of a salary bonus;

93 (iii) application requirements; and

94 (iv) a method for:

95 (A) norm-referencing available reading assessment data for grade 4; and

96 (B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the  
97 purpose of determining teacher eligibility for salary bonuses awarded in the [2021-2022]  
98 2022-2023 school year for teachers in grade 4.

99 (c) The state board shall make an annual salary bonus payment in a fiscal year that  
100 begins on July 1, 2017, and each fiscal year thereafter in which money is appropriated for the  
101 program.

102 (d) The state board shall make a partial payment of the annual salary bonus described  
103 in Subsection (2)(c), to an eligible teacher who has a part-time assignment in a regular or  
104 special education classroom at an eligible school, based on the number of hours the eligible  
105 teacher works in the classroom assignment.

106 (3) (a) Subject to future budget constraints, the Legislature shall annually appropriate  
107 money to fund the program.

108 (b) Money appropriated for the program shall include money for the following  
109 employer-paid benefits:

110 (i) social security; and

111 (ii) Medicare.

112 (4) (a) (i) A charter school or school district school shall annually apply to the state  
113 board on behalf of an eligible teacher for an eligible teacher to receive an annual salary bonus

114 each year that the teacher is an eligible teacher.

115 (ii) A teacher need not be an eligible teacher in consecutive years to receive the  
116 increased annual salary bonus described in Subsection (4)(b).

117 (b) The annual salary bonus for an eligible teacher is \$7,000.

118 (c) A public school that applies on behalf of an eligible teacher under Subsection  
119 (4)(a)(i) shall pay half of the salary bonus described in Subsection (4)(b) each year the eligible  
120 teacher is awarded the salary bonus.

121 (d) The state board shall award a salary bonus to an eligible teacher based on the order  
122 that an application from a public school on behalf of the eligible teacher is received.

123 (5) The state board shall:

124 (a) determine if a teacher is an eligible teacher;

125 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school  
126 district and school district administrators; and

127 (c) publish a list of high poverty schools.

128 (6) The state board shall:

129 (a) distribute money from the program to school districts and charter schools in  
130 accordance with this section and state board rule; and

131 (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the  
132 salary bonus amount described in Subsection (4)(b).

133 (7) Money received from the program shall be used by a school district or charter  
134 school to provide an annual salary bonus equal to the amount specified in Subsection (4)(b) for  
135 each eligible teacher and to pay affiliated employer-paid benefits described in Subsection  
136 (3)(b).

137 (8) (a) After the third year salary bonus payments are made, and each succeeding year,  
138 the state board shall evaluate the extent to which a salary bonus described in this section  
139 improves recruitment and retention of effective teachers in high poverty schools by examining  
140 turnover rates of teachers who receive the salary bonus compared to teachers who do not  
141 receive the salary bonus.

142 (b) Each year that the state board conducts an evaluation described in Subsection  
143 (8)(a), the state board shall, in accordance with Section 68-3-14, submit a report on the results  
144 of the evaluation to the Education Interim Committee on or before November 30.

145 (9) A public school shall annually notify a teacher:

146 (a) of the teacher's median growth percentile; and

147 (b) how the teacher's median growth percentile is calculated.

148 (10) Notwithstanding this section, if the appropriation for the program is insufficient to  
149 cover the costs associated with salary bonuses, the state board may limit or reduce a salary  
150 bonus.